

37 CFR 1.8 CERTIFICATE OF MAILING

BAC
31

I hereby certify that this correspondence and any documents indicated as being enclosed therein are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

Date: 6/29/2001

Signature

Printed Name: Stephanie Klepp

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DAVID T. HOGE et al.

Serial No. 08/377,450

Filed: January 24, 1995

Group Art Unit: 2512

Examiner: W. Korzuch

Attorney Docket No. 92-080-PDX

RECEIVED

JUL 06 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

For: HELICAL SCAN TRANSPORT FOR SINGLE REEL TAPE CARTRIDGE

PETITION UNDER 37 CFR 1.181(a) TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION (MPEP 711.03(c)II)

ASSISTANT COMMISSIONER OF PATENTS
Washington, D.C. 20231

Technology Center 2800

JUL 11 2001

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On December 18, 2000, Applicants' attorney received a Notice of Allowability dated December 13, 2000 (paper no. 30), requesting new formal drawings and setting a three month deadline for responding to such requirement (see Attachment A). Formal drawings were mailed to the USPTO on February 8, 2001 (see Attachment B), within the specified three month deadline. Applicants' attorney was then awaiting receipt of a Notice of Allowance and Issue Fee Transmittal form from the USPTO, which was never received. A copy of the docket records where the non-received office communication would have been entered had it been received and docketed is attached hereto as Attachments C1 and C2.

Applicants thus request that this petition to withdraw the holding of abandonment (as received by Applicants' attorney on June 15, 2001), by way of a Notice of Abandonment (which, by the way, is also labeled as paper no. 30, the same paper number as the Notice of Allowability), be granted as a Notice of Allowance and Issue Fee Transmittal form were never received by Applicants' attorney.

Respectfully submitted,


Wayne P. Bailey, Reg. No. 34,289
Storage Technology Corporation
One StorageTek Drive, MS-4309
Louisville, Colorado 80028-4309
(303) 673-8223

June 28, 2001 (3:22PM)



ATTACHMENT A

**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

mf 1411.0210001

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/377,450 01/24/95 HOGE

D 1411.0210001

EXAMINER

FM02/1213

STORAGE TECHNOLOGY CORPORATION
2270 SOUTH 88TH STREET
MAIL STOP 4309
LOUISVILLE, CO 80028-4309

FORZUCH, W

ART UNIT

PAPER NUMBER

2652

DATE MAILED:

12/15/00 30

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

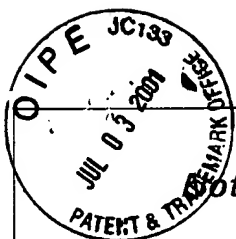
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DEC 18 2000

StorageTek Office of
Corporate Council**RECEIVED**


JUL 11 2001

Technology Center 2600



Notice of Allowability

Application No. 08/377,450	Applicant(s) Hoge et al
Examiner William Korzuch	Group Art Unit 2652



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☐ This communication is responsive to _____.

☒ The allowed claim(s) is/are 1, 3-5, 7-9, 11 and 12 renumbered as claims 1-9.

☐ The drawings filed on _____ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☒ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 3.

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Interview Summary, PTO-413
- ☐ Examiner's Amendment/Comment
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Examiner's Statement of Reasons for Allowance

William R. Korzuch
WILLIAM R. KORZUCH
PRIMARY EXAMINER

RECEIVED ON THE DATE STAMPED BELOW:

Applicants: Hoge et al.

Application Serial No.: 08/377,450

For: HELICAL SCAN TRANSPORT ... CARTRIDGE

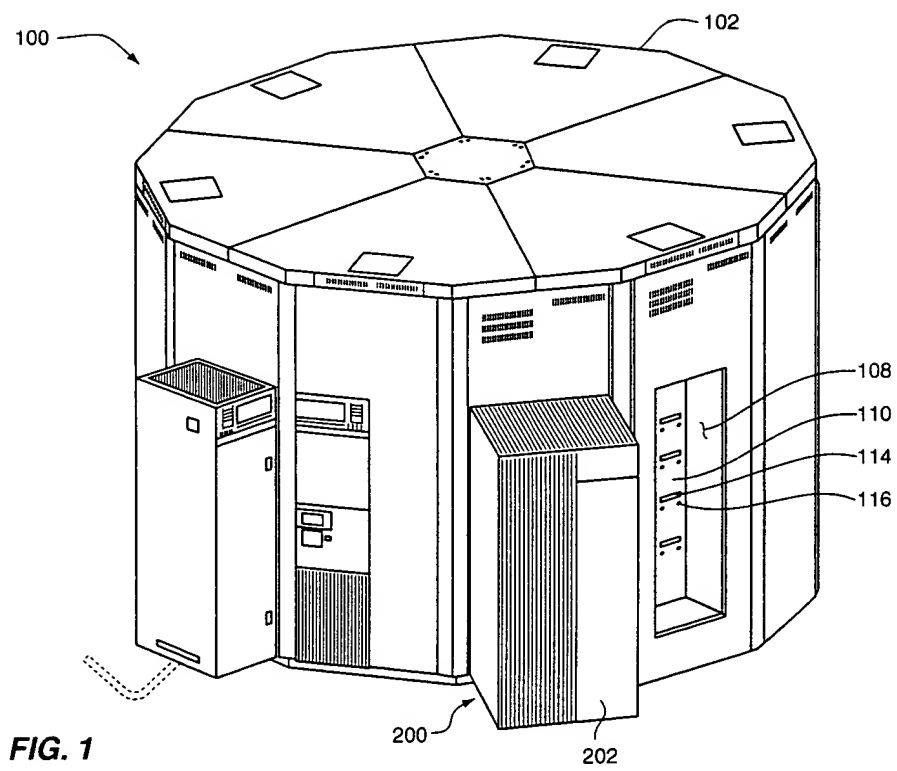
Please acknowledge receipt of the following:

Formal Drawings Transmittal; 11 sheets, Figures 1-11 Formal

Drawings; Acknowledgment of Receipt Card

Mailed: 2/8/2001

StorageTek Docket #92-080-PDX



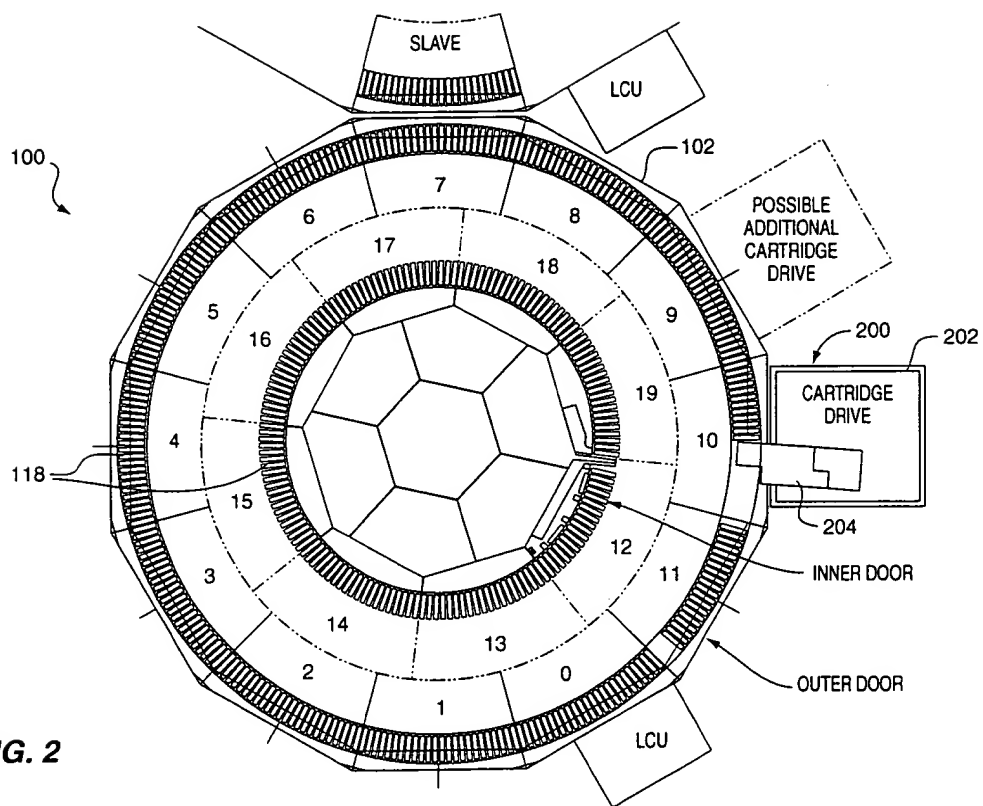


FIG. 2

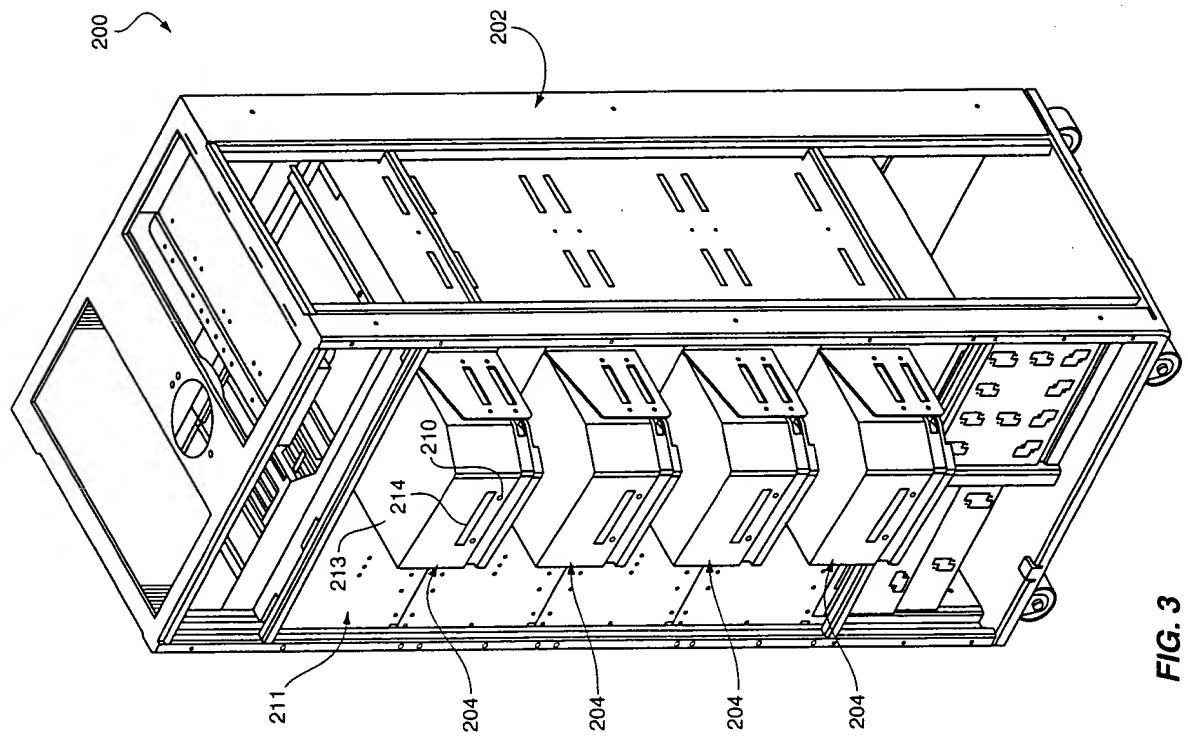


FIG. 3

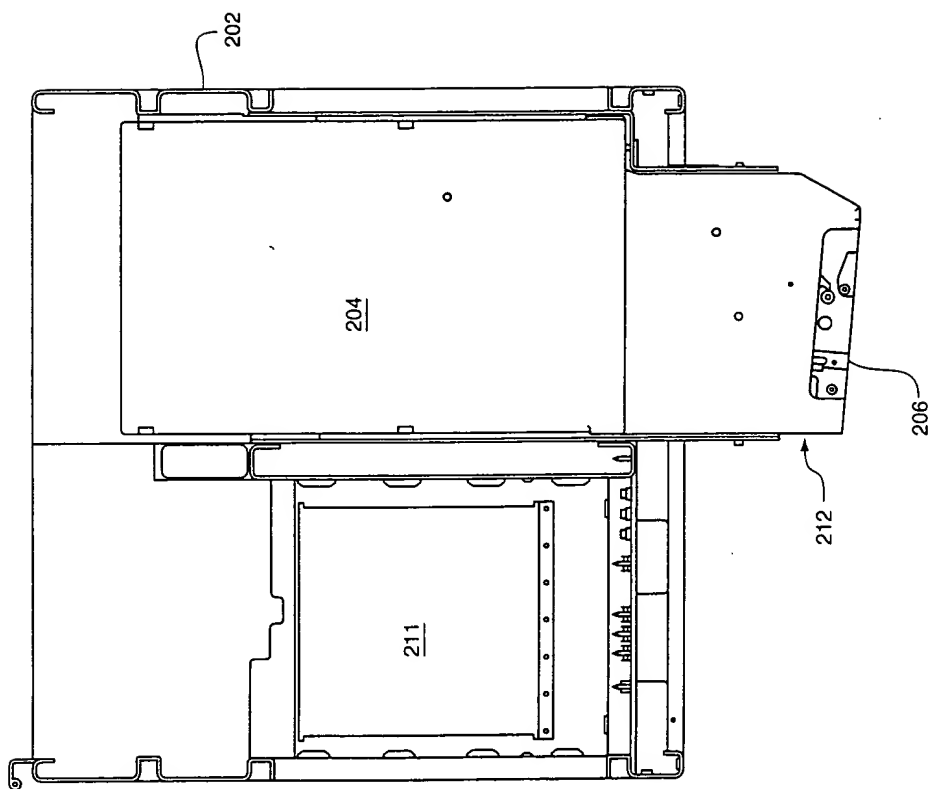


FIG. 4

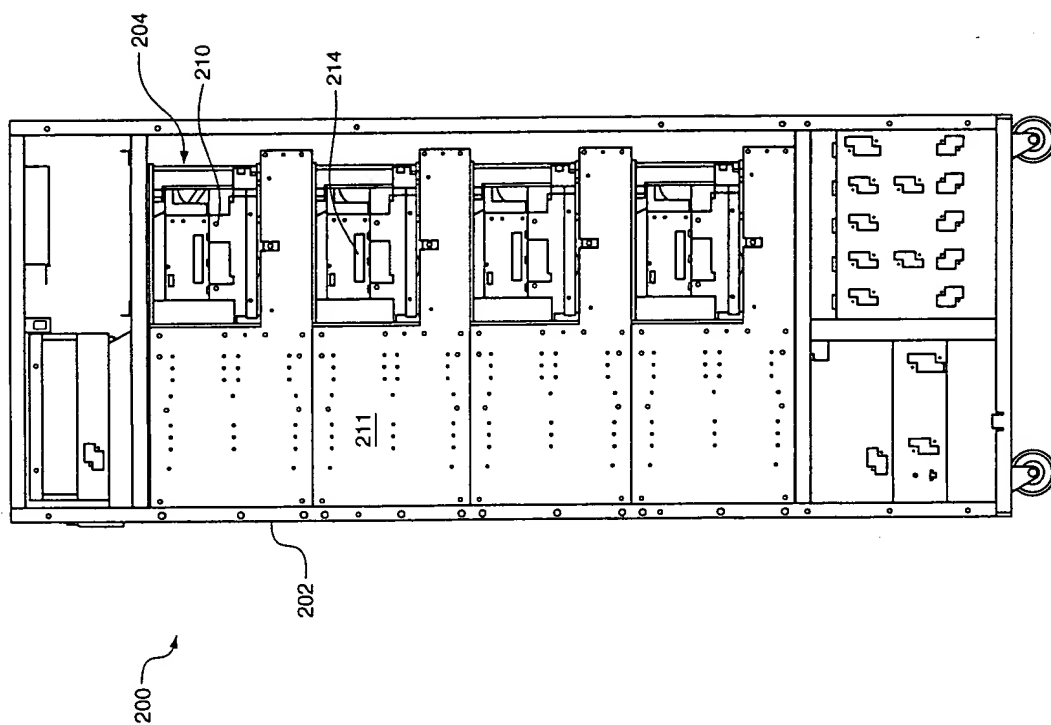


FIG. 5



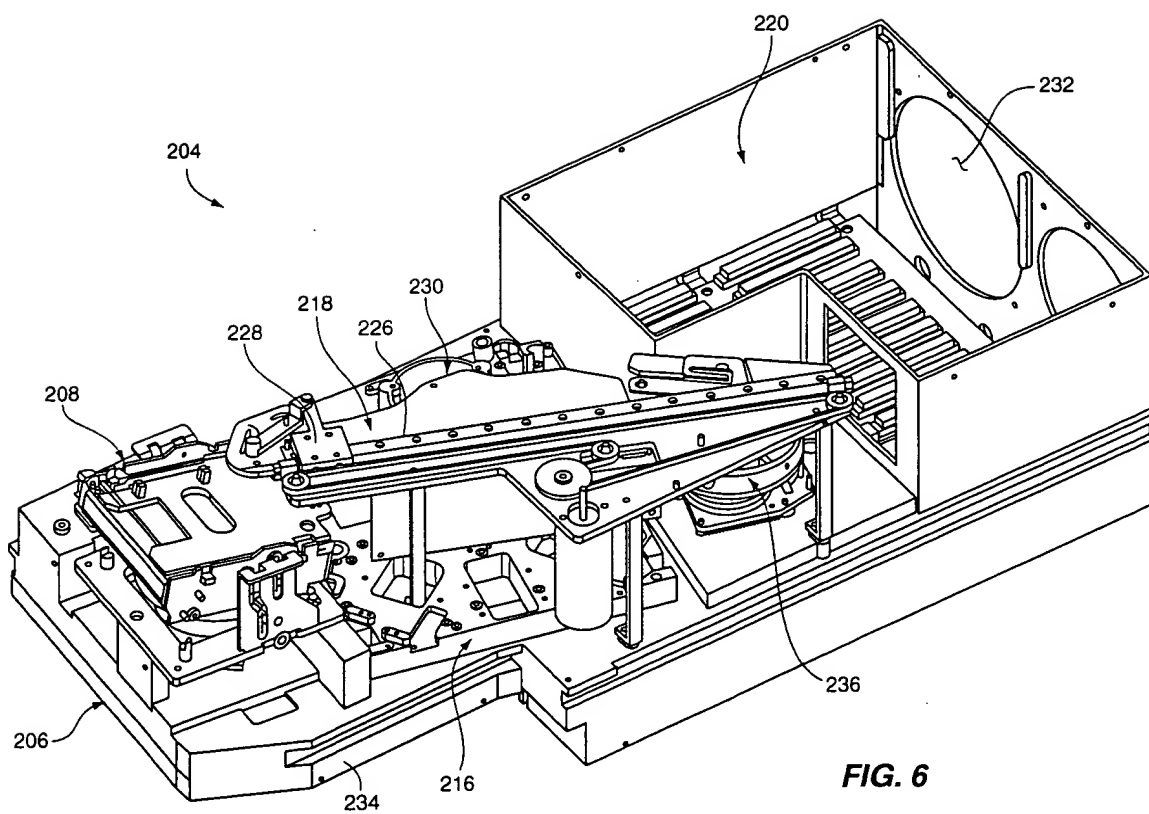


FIG. 6

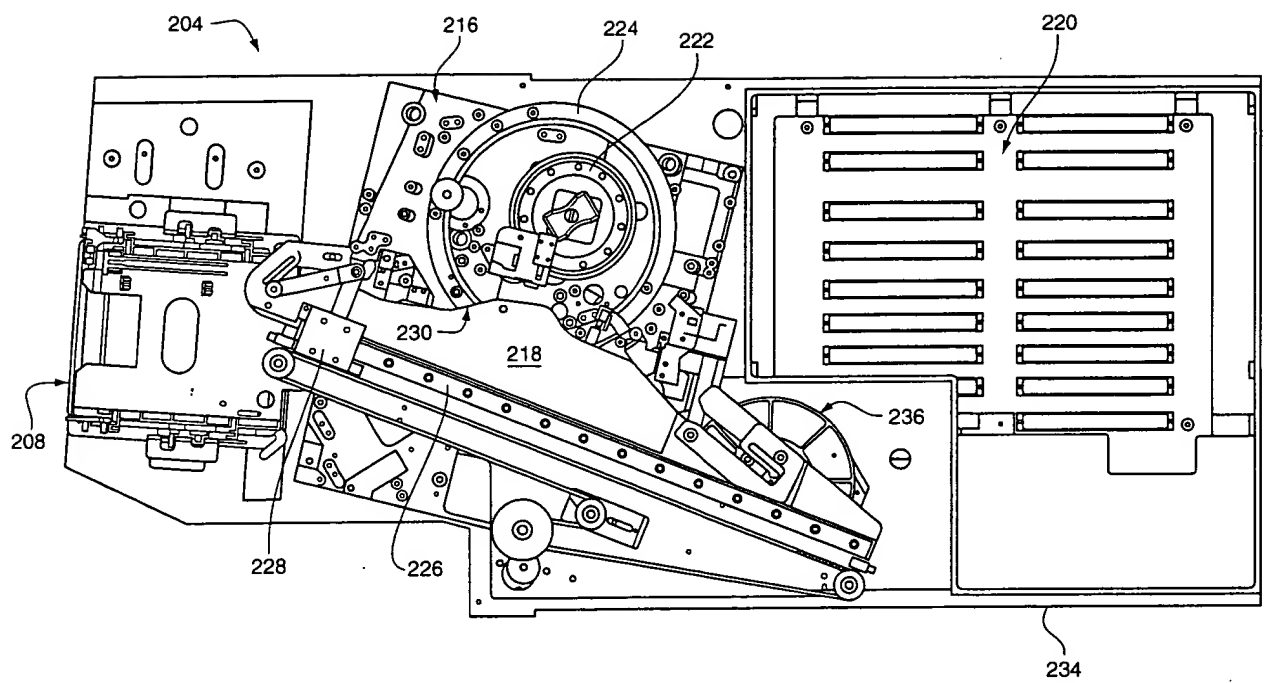


FIG. 7

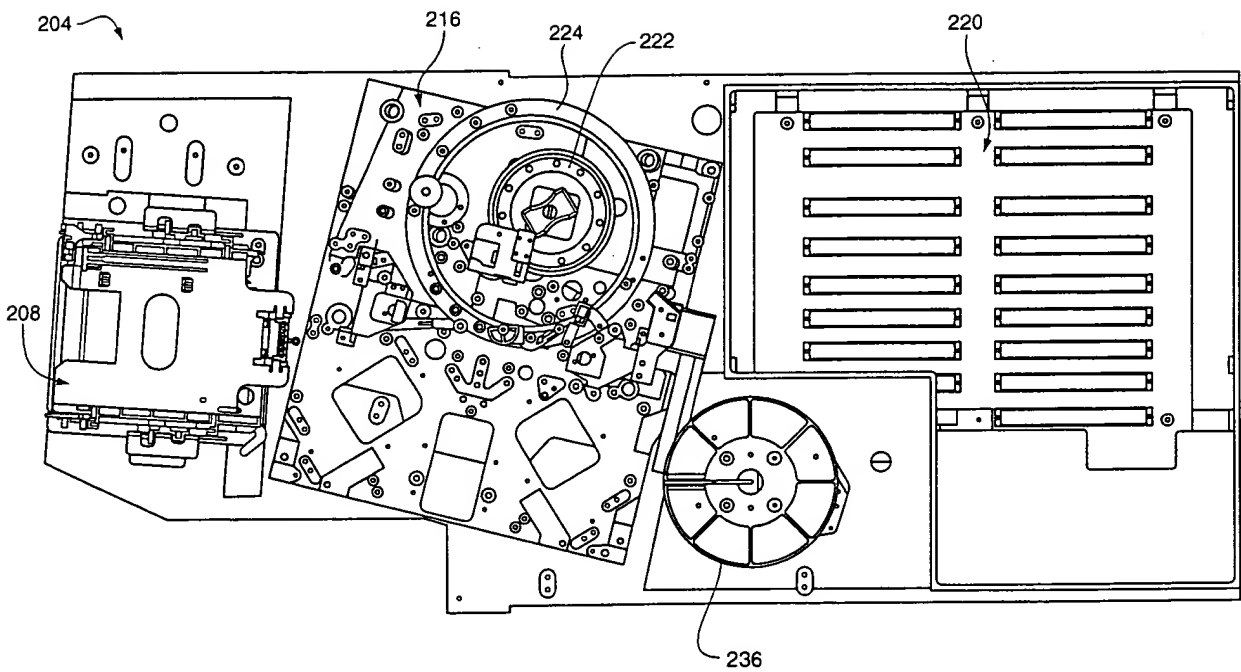


FIG. 8

UNITED STATES
PATENT
OFFICE

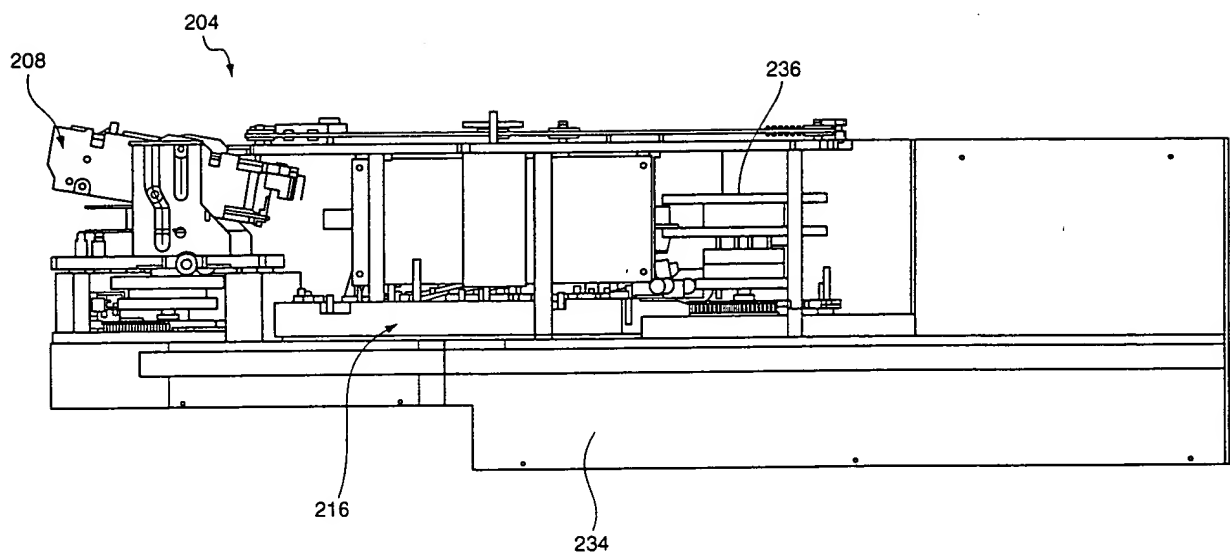


FIG. 9

U.S. PATENT OFFICE
MAR 11 2009
10/162 1000

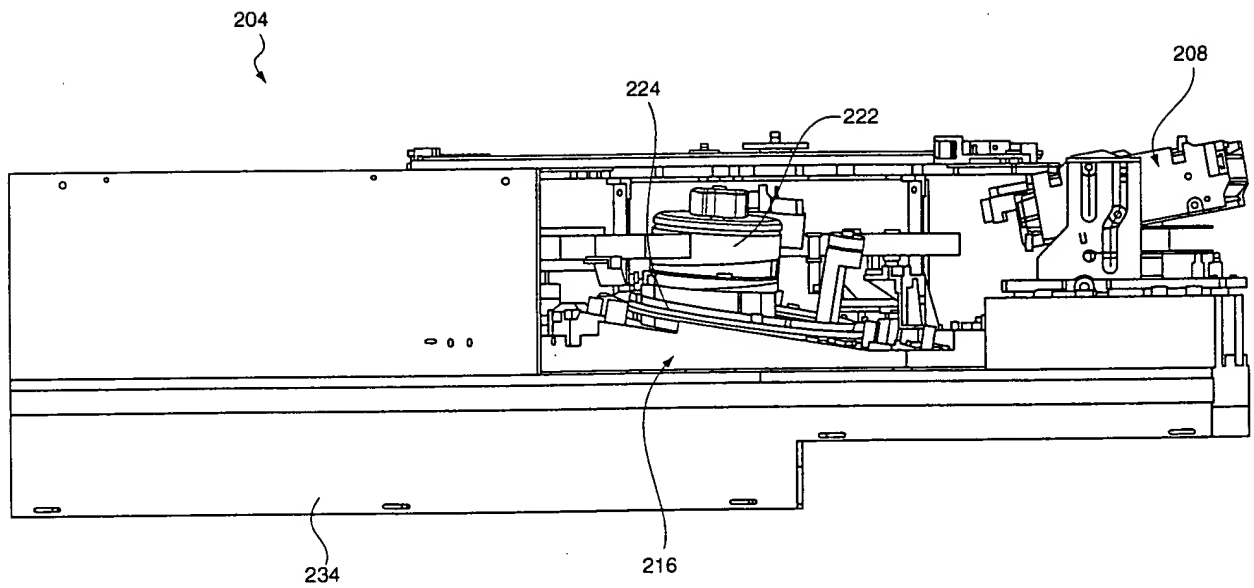


FIG. 10

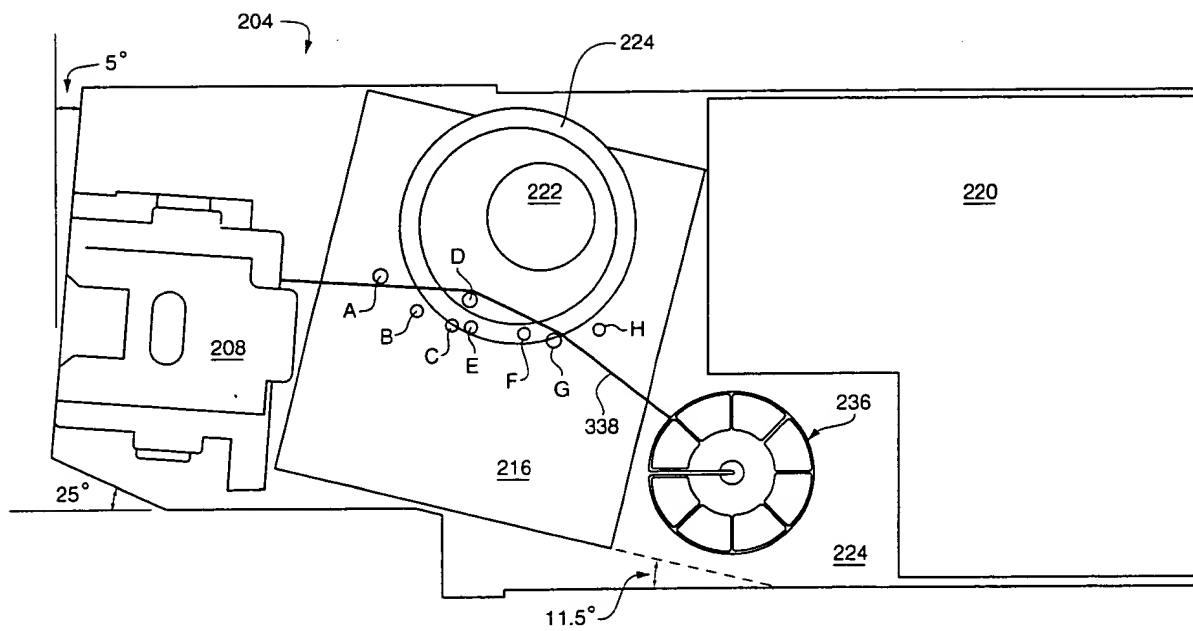


FIG. 11

Actions Due		Clear	Copy	Search	Save	Print	Delete	Undo	Exit																																
Case Number:	92-080-PDX	Country:	US	Sub Case:																																					
Application #:	08/377,450	United States of America																																							
Filing Date:	24-Jan-1995	Status:	Filed																																						
Action:	US-Allowability	Action Base Date:	13-Dec-2000																																						
Response sent dt:	08-Feb-2001																																								
<table border="1"> <thead> <tr> <th>7 Action(s) Due</th> <th>Due Date</th> <th>Indicator</th> <th>Taken</th> </tr> </thead> <tbody> <tr> <td>1MON DRAWING</td> <td>13-Jan-2001</td> <td>Due Date</td> <td>08-Feb-2001</td> </tr> <tr> <td>2MON DRAWING</td> <td>13-Feb-2001</td> <td>Due Date</td> <td>08-Feb-2001</td> </tr> <tr> <td>3MON DWG/FRMLTY</td> <td>13-Mar-2001</td> <td>Due Date</td> <td>08-Feb-2001</td> </tr> <tr> <td>1M EXT-DWG/FRMY</td> <td>13-Apr-2001</td> <td>Due Date</td> <td>08-Feb-2001</td> </tr> <tr> <td>2M EXT-DWG/FRMY</td> <td>13-May-2001</td> <td>Due Date</td> <td>08-Feb-2001</td> </tr> <tr> <td>DRAWING FINAL</td> <td>13-Jun-2001</td> <td>Final</td> <td>08-Feb-2001</td> </tr> <tr> <td>US-Allowability Follow Up Date</td> <td>08-Aug-2001</td> <td>Due Date</td> <td></td> </tr> </tbody> </table>										7 Action(s) Due	Due Date	Indicator	Taken	1MON DRAWING	13-Jan-2001	Due Date	08-Feb-2001	2MON DRAWING	13-Feb-2001	Due Date	08-Feb-2001	3MON DWG/FRMLTY	13-Mar-2001	Due Date	08-Feb-2001	1M EXT-DWG/FRMY	13-Apr-2001	Due Date	08-Feb-2001	2M EXT-DWG/FRMY	13-May-2001	Due Date	08-Feb-2001	DRAWING FINAL	13-Jun-2001	Final	08-Feb-2001	US-Allowability Follow Up Date	08-Aug-2001	Due Date	
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US-Allowability Follow Up Date	08-Aug-2001	Due Date																																							
Press PGDN to Add/View Remarks																																									



ATTACHMENT C2

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JUL 11 2001

Technology Center 2600

INVENTOR Hoge, et al

SERIAL NO. 08/377,450 FILED 1-24-95

TITLE Helical Scan Transport for Single Reel Tape Cartridge

ASSIGNEE StorageTek

ASSIGNMENT RECORDED _____ REEL _____ FRAME _____

OFFICE ACTIONS

AMENDMENTS

Office action dated 05-30-95

Response due 08-30-95

Response filed 11-30-95

Office action dated 03-25-96

Response due 06-25-96
~~03-27-96~~

Req. for ext. of time
Brief on appeal filed 9-25-96

NOTICE OF ALLOWABILITY 12/13/2000

2/8/2001

ALLOWED _____ FINAL FEE PAID _____

PATENT NO. _____ DATE _____

OF TITLE

IN PART OF 92-080-PDX (08/360,653)

CANADIAN

INVENTOR

OTHER FOREIGN

SERIAL NO.

08/377,450

92-080-PDX